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ARTICLE 1. RULES OF PRACTICE AND PROCEDURE**R9-1-101. Definitions**

- A.** In this Chapter, unless otherwise specified:
1. “Day” means a calendar day, and excludes the:
 - a. Day of the act or event from which a designated period of time begins to run; and
 - b. Last day of the period if a Saturday, Sunday, or official state holiday.
 2. “Department” means the Arizona Department of Health Services.
 3. “Director” means the Director of the Arizona Department of Health Services or an individual designated by the Director.
 4. “Rule” has the same meaning as in A.R.S. § 41-1001(17).
- B.** In this Article, unless otherwise specified:
1. “Administrative law judge” has the same meaning as in A.R.S. § 41-1092.
 2. “Appealable agency action” has the same meaning as in A.R.S. § 41-1092.
 3. “Contested case” has the same meaning as in A.R.S. § 41-1001.
 4. “Final administrative decision” has the same meaning as in A.R.S. § 41-1092.
 5. “Party” has the same meaning as in A.R.S. § 41-1001.
 6. “Recommended decision” means the written ruling made by an administrative law judge regarding a contested case or appealable agency action within 20 days after a hearing under A.R.S. § 41-1092.07

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Amended by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-102. Objection to a Recommended Decision

- A.** Upon receipt of a copy of a recommended decision for a contested case or an appealable agency action, the Director may mail a copy of the recommended decision to each party.

- B. A party has ten days from the date the Director mails the recommended decision to submit a memorandum of objections that states each reason why the recommended decision is in error, with information supporting the reason.
- C. The Director may consider the memorandum of objections in determining whether to accept, reject, or modify the recommended decision.

Historical Note

Adopted effective April 13, 1990 (Supp 90-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-103. Rehearing or Review of a Final Administrative Decision

- A. A party who is aggrieved by a final administrative decision may file with the Director, not later than 30 days after service of the final administrative decision, a written motion for rehearing or review of the decision specifying the grounds for rehearing or review.
- B. A party filing a motion for rehearing or review under this Section may amend the motion at any time before it is ruled upon by the Director. Any other party may file a response to the motion for rehearing or review within 15 days after the date the motion is filed with the Director. The director may require that the parties file supplemental memoranda explaining the issues raised in the motion and may permit oral argument.
- C. The Director may grant a rehearing or review of the final administrative decision for any of the following reasons materially affecting the requesting party's rights:
 1. Irregularity in the proceedings of the hearings or an abuse of discretion, that deprived the party of a fair hearing,
 2. Misconduct by the administrative law judge or the prevailing party,
 3. Accident or surprise that could not have been prevented by ordinary prudence,
 4. Newly discovered material evidence that could not with reasonable diligence have been discovered and produced at the original hearing,
 5. Excessive or insufficient penalties,
 6. Error in the admission or rejection of evidence or other errors of law occurring at the hearing, or
 7. That the decision is not supported by the evidence or is contrary to law.
- D. The Director shall rule on the motion within 15 days after the response to the motion is filed. If no response to the motion is filed, the Director shall rule on the motion within five days after the expiration of the response period.
- E. An order issued by the Director granting a rehearing or review shall specify the grounds for the rehearing or review.

Historical Note

Adopted effective April 13, 1990 (Supp 90-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-104. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-105. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-106. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-107. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-108. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-109. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-110. Repealed**Historical Note**

Adopted effective April 13, 1990 (Supp 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-111. Repealed**Historical Note**

Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-112. Repealed**Historical Note**

Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-113. Repealed**Historical Note**

Amended Regulation 10-71. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-114. Repealed**Historical Note**

Amended Regulation 1-74. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-115. Repealed**Historical Note**

Amended Regulation 10-71. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-116. Repealed

Historical Note

Amended Regulation 10-71. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-117. Repealed

Historical Note

Amended Regulation 10-71. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-118. Repealed

Historical Note

Amended Regulation 10-71. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-119. Repealed

Historical Note

Amended Regulation 10-71 and 1-74. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-120. Repealed

Historical Note

Amended Regulation 10-71. Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-121. Repealed

Historical Note

Section repealed, new Section adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-122. Repealed

Historical Note

Amended Regulation 10-71 and 1-74. Repealed effective April 13, 1990 (Supp. 90-2).

R9-1-123. Repealed

Historical Note

Amended Regulation 10-71. Repealed effective April 13, 1990 (Supp. 90-2).

R9-1-124. Repealed

Historical Note

Repealed effective April 13, 1990 (Supp. 90-2).

R9-1-125. Repealed

Historical Note

Former Section R9-1-125 renumbered as Section R9-1-126, new Section R9-1-125 adopted effective May 12, 1977 (Supp. 77-3). Repealed effective April 13, 1990 (Supp. 90-2).

R9-1-126. Repealed

Historical Note

Former Section R9-1-125 renumbered as Section R9-1-126 effective May 12, 1977 (Supp. 77-3). Repealed effective April 13, 1990 (Supp. 90-2).

ARTICLE 2. PUBLIC PARTICIPATION IN RULEMAKING

R9-1-201. Definitions

In this Article, unless otherwise specified:

1. "Rulemaking record" means a file maintained by the Department as specified in A.R.S. § 41-1029.
2. "Oral proceeding" means a public gathering, held by the Department, for the purpose of receiving comment and answering questions about a proposed rule.
3. "Substantive policy statement" has the same meaning as in A.R.S. § 41-1001(20).

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-202. Rulemaking Record

Except on a state holiday, an individual may review a rulemaking record at the Office of the Director, Monday through Friday, from 8:00 a.m. until 5:00 p.m.

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-203. Petition for a Rule; Review of a Rule, an Agency Practice or a Substantive Policy Statement

- A. An individual submitting a petition to the Department to make a rule under A.R.S. § 41-1033 shall include the following on the petition:
 1. The name and address of the individual submitting the petition;
 2. An identification of the rule;
 3. The suggested language of the rule;
 4. The reason why a new rule should be made with supporting information, including, if applicable:
 - a. Statistical data with references to attached exhibits, and
 - b. An identification of the persons who would be affected by the rule and how the persons would be affected;
 5. The signature of the individual submitting the petition; and
 6. The date the petition is signed.
- B. An individual submitting a petition to the Department under A.R.S. § 41-1033 requesting that the Department review an agency practice or substantive policy statement that the individual alleges constitutes a rule shall include the following on the petition:
 1. The name and address of the individual submitting the petition,
 2. The reason the individual alleges the agency practice or substantive policy statement constitutes a rule,
 3. The signature of the individual submitting the petition, and
 4. The date the petition is signed.
- C. An individual who submits a petition under subsection (B) shall attach a copy of the substantive policy statement or a description of the agency practice to the petition.

- D.** The Director shall notify an individual who files a petition under subsection (A) or (B) of the Department's decision in writing within seven days of receipt of the petition.

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-204. Repealed

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-205. Repealed

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-206. Repealed

Historical Note

Adopted effective April 13, 1990 (Supp. 90-2). Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

ARTICLE 3. DISCLOSURE OF MEDICAL RECORDS

R9-1-301. Reserved

R9-1-302. Reserved

R9-1-303. Reserved

R9-1-304. Reserved

R9-1-305. Reserved

R9-1-306. Reserved

R9-1-307. Reserved

R9-1-308. Reserved

R9-1-309. Reserved

R9-1-310. Reserved

R9-1-311. Definitions

In this Article, unless otherwise specified:

1. "Incompetent" means an individual who is determined by a court of competent jurisdiction to require a legal guardian to protect the interests of and to represent the individual.
2. "Medical record" means all communications listed in A.R.S. § 12-2291(4).
3. "Employee" means an individual who works for the Department for compensation.
4. "Human Subjects Research Committee" means individuals designated by the Director to review and approve the release of medical information.
5. "Legal guardian" means an individual appointed by the court under A.R.S. Title 14, Chapter 5 or Title 36, Chapter 5.
6. "Parent" means a biological or adoptive mother or father of an individual.
7. "Volunteer" means an individual who works for the Department without compensation.

Historical Note

Amended by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-312. Disclosure of a Medical Record

- A.** Except as authorized in subsection (B), an employee or volunteer shall not disclose a medical record the employee or volunteer has obtained or has access to as a result of being employed by or volunteering with the Department that allows an individual to be identified.
- B.** Unless otherwise prescribed by law, an employee or volunteer may disclose a medical record:
1. If an individual who is 18 years of age or older and is not incompetent is identified in the medical record, only with the written permission of the individual.
 2. If an individual who is less than 18 years old or is incompetent is identified in the medical record, only with written permission from the individual's parent or legal guardian;
 3. To the surviving spouse or legal representative of an individual's estate, upon the surviving spouse or legal representative's written request;
 4. At the direction of the Director, or the Human Subjects Research Committee, if the medical record is sought for a scientific or medical research purpose; or
 5. As required by a court order issued by a court of competent jurisdiction.

Historical Note

Amended by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-313. Repealed

Historical Note

Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-314. Repealed

Historical Note

Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

R9-1-315. Repealed

Historical Note

Section repealed by final rulemaking at 8 A.A.R. 3296, effective July 15, 2002 (Supp. 02-3).

ARTICLE 4. CODES AND STANDARDS REFERENCED

R9-1-401. Reserved

R9-1-402. Reserved

R9-1-403. Reserved

R9-1-404. Reserved

R9-1-405. Reserved

R9-1-406. Reserved

R9-1-407. Reserved

R9-1-408. Reserved

R9-1-409. Reserved

R9-1-410. Reserved

R9-1-411. Scope and Applicability

- A.** Codes and standards referenced elsewhere in this Title are listed in this Article for convenience in making periodic revisions as new editions become available. Before applying referenced codes and standards, the effective date shown at the end of the applicable regulation within this Article should be checked and the Department or the Secretary of State contacted to assure that the proper edition of the applicable regulation is being utilized.
- B.** Other jurisdictions -- federal, county, city or other state agencies -- may have applicable requirements which may be additional (such as local zoning ordinances, state and federal occupational safety and health standards) or more restrictive than the minimum requirements established by these rules and regulations (such as local building codes and county health standards).
- It is the responsibility of the applicant or licensee, or his agent, to assure that he is in compliance with all such requirements.
- C.** Where conflicts occur among the standards established in this Title, the following rules of construction shall apply:
- Standards specified in the narrative portions of the regulations shall govern over the standards adopted by reference.
 - If a conflict occurs among the standards adopted by reference, the more restrictive standard shall govern over the less restrictive.
- D.** Provisions in the structural codes and standards listed in R9-1-412, relating to purpose, scope, enforcement, exceptions and other administrative matters shall be applied except that:
- Provisions specifying penalties are excluded from the provisions adopted as regulations.
 - Provisions relating to buildings, structures or facilities subject to licensure by the Department existing at the time an applicable code is adopted, or at the time an existing facility first becomes subject to such provisions, shall be administered in accordance with the following:
 - Readily correctable deficiencies (those deficiencies posing a hazard which can be corrected to comply with a code adopted by reference within the period ending one year after the expiration of the institution's then existing license) shall be corrected as soon as practicable and before the expiration of the institution's then existing license or, if the Department determines additional time is needed, before the expiration of the next provisional license. The period of time for correction shall begin with the notification by the Department that a deficiency or deficiencies exist as a result of a code adopted by reference and that the deficiency, or each such deficiency, is determined by the Department to pose a hazard to the welfare of patients or employees of the facility. Following such notice the licensee shall meet a reasonable timetable for correction fixed by the Department which shall specify the periods for:
 - Submission of a satisfactory written plan for correction of the deficiencies, if necessary.
 - Submission of preliminary drawings, if necessary.
 - Submission of working drawings, if necessary.
 - Completion of the modification or construction.
 - Major deficiencies (those deficiencies posing a hazard which cannot be corrected to comply with a code adopted by reference within the maximum period allowable by subparagraph (2)(a)) shall be corrected within three years after being notified by the Department that a major deficiency or major deficiencies

exist as a result of a code adopted by reference and that the deficiency or each such deficiency is determined by the Department to pose a hazard to the welfare of patients or employees of the facility. Following such notice the licensee shall meet a reasonable timetable for correction fixed by the Department. The time for completion of construction shall not exceed three years and shall specify the periods for:

- Submission of a satisfactory written plan for correction of the deficiencies, if necessary.
 - Submission of preliminary drawings, if necessary.
 - Submission of working drawings, if necessary.
 - Completion of the modification or construction.
- c.** If the plan for correction shows that the entire building in which major deficiencies exist will be replaced with a newly-constructed building, the Department may allow up to two additional years for the completion of construction if it determines that maximum time period allowable under subparagraph (2)(b) is insufficient.

R9-1-412. Physical Plant Health and Safety Codes and Standards

- A.** The following physical plant health and safety codes and standards are incorporated by reference as modified, are on file with the Department and the Office of the Secretary of State, and include no future editions or amendments:
- International Code Council, International Building Code (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - Appendices A, B, C, D, G, I, and J are omitted;
 - "International Plumbing Code" is replaced with "Arizona Uniform Plumbing Code" each time it appears;
 - Section 101.1 is modified by omitting "of [NAME OF JURISDICTION]";
 - Section 101.2 is modified by deleting the "Exception";
 - Section 101.4.4 is modified by replacing "International Private Sewage Disposal Code" with "Arizona Uniform Plumbing Code";
 - Sections 103.1 through 103.3 are omitted;
 - Sections 104.1 through 104.9.1 are omitted;
 - Sections 105.1 through 105.7 are omitted;
 - Sections 106.1 through 106.5 are omitted;
 - Sections 107.1 through 107.4 are omitted;
 - Sections 108.1 through 108.6 are omitted;
 - Sections 109.1 through 109.6 are omitted;
 - Sections 110.1 through 110.5 are omitted;
 - Sections 111.1 through 111.3 are omitted;
 - Sections 112.1 through 112.3 are omitted;
 - Sections 113.1 through 113.4 are omitted;
 - Sections 114.1 through 114.3 are omitted;
 - Sections 115.1 through 115.5 are omitted;
 - Section 2113.15 is modified by omitting "or Chapter 24 of the International Residential Code";
 - Section 2901.1 is modified by replacing "International Private Sewage Disposal Code" with "Arizona Uniform Plumbing Code"; and
 - Section 3401.3 is modified by omitting "International Private Sewage Disposal Code," and "International Residential Code";

2. International Code Council, International Fuel Gas Code (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - a. “International Plumbing Code” is replaced with “Arizona Uniform Plumbing Code” each time it appears,
 - b. Section 101.1 is modified by omitting “of [NAME OF JURISDICTION]”,
 - c. Sections 103.1 through 103.4 are omitted,
 - d. Sections 104.1 through 104.8 are omitted,
 - e. Sections 106.1 through 106.5.3 are omitted,
 - f. Sections 107.1 through 107.5 are omitted,
 - g. Sections 108.1 through 108.7.3 are omitted, and
 - h. Sections 109.1 through 109.7 are omitted;
3. International Code Council, International Mechanical Code (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - a. Appendix B is omitted,
 - b. “International Plumbing Code” is replaced with “Arizona Uniform Plumbing Code” each time it appears,
 - c. Section 101.1 is modified by omitting “of [NAME OF JURISDICTION]”,
 - d. Sections 103.1 through 103.4 are omitted,
 - e. Sections 104.1 through 104.8 are omitted,
 - f. Sections 106.1 through 106.5.3 are omitted,
 - g. Sections 107.1 through 107.5 are omitted,
 - h. Sections 108.1 through 108.7.3 are omitted, and
 - i. Sections 109.1 through 109.7 are omitted;
4. International Code Council, International Property Maintenance Code (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - a. “International Plumbing Code” is replaced with “Arizona Uniform Plumbing Code” each time it appears,
 - b. Section 101.1 is modified by omitting “of [NAME OF JURISDICTION]”,
 - c. Sections 103.1 through 103.6 are omitted,
 - d. Sections 104.1 through 104.8 are omitted,
 - e. Sections 106.1 through 106.5 are omitted,
 - f. Sections 107.1 through 107.5 are omitted,
 - g. Sections 108.1 through 108.6 are omitted,
 - h. Sections 109.1 through 109.6 are omitted,
 - i. Sections 110.1 through 110.4 are omitted,
 - j. Sections 111.1 through 111.8 are omitted,
 - k. Section 201.3 is modified by omitting “International Zoning Code”,
 - l. Section 602.2 is modified by adding a period after “toilet rooms” and omitting the remainder of the sentence, and
 - m. Section 602.3 is modified by omitting the second sentence of the “Exception”;
5. International Code Council, International Fire Code (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - a. Appendix A is omitted,
 - b. “International Plumbing Code” is replaced with “Arizona Uniform Plumbing Code” each time it appears,
 - c. Section 101.1 is modified by omitting “of [NAME OF JURISDICTION]”,
 - d. Sections 103.1 through 103.4.1 are omitted,
 - e. Sections 104.1 through 104.11.3 are omitted,
 - f. Sections 105.1 through 105.7.12 are omitted,
 - g. Sections 106.1 through 106.3 are omitted,
 - h. Sections 108.1 through 108.3 are omitted,
 - i. Sections 109.1 through 109.3.1 are omitted,
 - j. Sections 110.1 through 110.4 are omitted, and
 - k. Sections 111.1 through 111.4 are omitted;
6. International Code Council, ICC Electrical Code—Administrative Provisions (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - a. Section 101.1 is modified by omitting “of [NAME OF JURISDICTION]”;
 - b. Section 201.3 is modified by deleting “International Residential Code, International Zoning Code”;
 - c. Chapter 3 is omitted;
 - d. Chapter 4 is omitted;
 - e. Chapter 5 is omitted;
 - f. Chapter 7 is omitted;
 - g. Chapter 8 is omitted;
 - h. Chapter 9 is omitted;
 - i. Chapter 10 is omitted;
 - j. Chapter 11 is omitted; and
 - k. Section 1201.1.1 is modified by deleting “the International Residential Code or”;
7. International Code Council, International Energy Conservation Code (2000), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298, with the following modifications:
 - a. “International Plumbing Code” is replaced with “Arizona Uniform Plumbing Code” each time it appears,
 - b. Section 101.1 is modified by omitting “of [NAME OF JURISDICTION]”, and
 - c. Section 101.4 is modified by deleting the “Exception”;
8. American Institute of Architects and Facilities Guidelines Institute, Guidelines for Design and Construction of Hospital and Health Care Facilities (2001 ed.), published by and available from The American Institute of Architects, 1735 New York Avenue, N.W., Washington, DC 20006, with the following modifications:
 - a. In the appendices, the word “should” is replaced with “shall” each time it appears; and
 - b. Section 1.5.A is omitted;
9. National Fire Protection Association, National Fire Codes (2001), as updated by National Fire Codes Supplement Part 1 (2001) and National Fire Codes Supplement Part 2 (2001), published by and available from the National Fire Protection Association, 1 Batterymarch

Park, Quincy, MA 02269-9101, with the following modifications:

- a. All annexes and appendices are omitted, except the following:
 - i. In NFPA 15, Annexes A, B, and C;
 - ii. In NFPA 20, Appendices A and B;
 - iii. In NFPA 70, Annexes A, B, C, and D;
 - iv. In NFPA 80, Appendices A, B, C, D, E, F, G, H, I, and J;
 - v. In NFPA 82, Appendix A;
 - vi. In NFPA 90A, Appendices A and B;
 - vii. In NFPA 96, Annexes A and B;
 - viii. In NFPA 99, Appendices A, B, and C and Annexes 1 and 2;
 - ix. In NFPA 99B, Appendices A and B;
 - x. In NFPA 101, Annex A;
 - xi. In NFPA 101B, Appendix A;
 - xii. In NFPA 110, Appendices A and B;
 - xiii. In NFPA 111, Appendix A;
 - xiv. In NFPA 253, Appendices A, B, C, D, and E;
 - xv. In NFPA 255, Appendices A, B, C, and D;
 - xvi. In NFPA 288, Annexes A, B, and C;
 - xvii. In NFPA 418, Appendix A;
 - xviii. In NFPA 701, Appendices A, B, C, and D; and
 - xix. In NFPA 801, Appendices A and B; and
- b. The language in the included appendices and annexes shall be construed as mandatory rather than advisory; and

10. International Code Council, Pub. No. ICC/ANSI A117.1-1998, American National Standard: Accessible and Usable Buildings and Facilities (1998), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401 and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601-2298.

- B. A physical plant that is required to comply with the codes and standards in this Section is also required to comply with the Arizona Uniform Plumbing Code in 4 A.A.C. 48, Article 1. If a conflict exists between a code or standard incorporated by reference in subsection (A) and the Arizona Uniform Plumbing Code, the Arizona Uniform Plumbing Code governs.
- C. The Department shall not assess any penalty or fee specified in the physical plant health and safety codes and standards that are incorporated by reference in this Section.

Historical Note

Amended effective December 12, 1975 (Supp. 75-2).
Amended effective February 12, 1981 (Supp. 81-1).
Amended effective January 5, 1987 (Supp. 87-1).
Amended effective April 4, 1994 (Supp. 94-2). Amended effective April 3, 1996 (Supp. 96-2). Amended by final rulemaking at 6 A.A.R. 4724, effective November 28, 2000 (Supp. 00-4). Amended by final rulemaking at 8 A.A.R. 4459, effective October 2, 2002 (Supp. 02-4).

R9-1-413. Repealed

Historical Note

Amended effective February 12, 1981 (Supp. 81-1).
Section repealed by final rulemaking at 8 A.A.R. 5077, effective November 22, 2002 (Supp. 02-4).

R9-1-414. Repealed

Historical Note

Adopted effective May 26, 1978 (Supp. 78-3). Section repealed by final rulemaking at 8 A.A.R. 5077, effective November 22, 2002 (Supp. 02-4).

R9-1-415. Repealed

Historical Note

Amended effective February 12, 1981 (Supp. 81-1).
Correction, subsection (A) DHEW Publication number from (FDA) 48-2091 to (FDA) 78-2091 (Supp. 83-3).
Section repealed by final rulemaking at 8 A.A.R. 5077, effective November 22, 2002 (Supp. 02-4).

R9-1-416. Repealed

Historical Note

Amended effective February 12, 1981 (Supp. 81-1).
Section repealed by final rulemaking at 8 A.A.R. 5077, effective November 22, 2002 (Supp. 02-4).

R9-1-417. Repealed

Historical Note

Amended effective February 12, 1981 (Supp. 81-1).
Section repealed by final rulemaking at 8 A.A.R. 5077, effective November 22, 2002 (Supp. 02-4).

R9-1-418. Repealed

Historical Note

Repealed effective February 12, 1981 (Supp. 81-1).